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Atty Dkt **12722.00005** PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Examiner: NYA
JOHN C. PEIFFER, ET AL.	)	Group Art Unit: NYA
Application No.: 09/973,893	)	
Filed: October 11, 2001	)	
For: METHOD AND APPARATUS FOR IDENTIFYING A DIGITAL AUDIO SIGNAL	)	January 8, 2002

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to substantive examination, and in view of the Notice of Omitted Parts mailed November 8, 2001 (copy enclosed), please amend the above-identified application as follows:

IN THE SPECIFICATION:

Kindly amend the specification by replacing paragraph **[0043]** with the following Replacement Paragraph. A

copy of the Marked-Up Paragraph is attached for the Examiner's convenience.

Replacement Paragraph

[0043] U.S. Patent Application Serial No. 09/116,397, filed July 16, 1998 (now U.S. Patent No. 6,272,176, issued August 7, 2001) and assigned to the assignee of this application, and U.S. Patent Application Serial No. 09/428,425, filed October 27, 1999, and U.S. Patent Application Serial No. 09/543,480, filed April 6, 2000 (each of which is incorporated herein by reference) disclose methods and apparatus for encoding audio signals by spectral modulation. These coding arrangements are selected so that the code survives subsequent compression and decompression and is hence compatible with various digital signal transmission standards. It will be recognized that other coding arrangements that have been (and will be) developed satisfy this process. Hence, the preferred embodiment of the invention attempts to recover an encoded program label from the PCM audio signal, which may be a decompressed audio signal. In other arrangements, of

course, audio codes may be recovered from an analog audio signal, such as one recovered from a microphone adjacent a speaker.

IN THE DRAWINGS:

Please add Figs. 2-4, as shown on the attached, and as clearly described in the originally-filed specification at paragraphs **[0036]** - **[0048]**.

REMARKS

Consideration and allowance of the subject application are respectfully requested.

Claims 1-82 are pending in the application. Claims 1,15, 25, 34, 45, 54, 56, 67, 71, 76, and 80 are independent.

Specification paragraph **[0043]** has been amended to reflect that incorporated-by-reference Application No. 09/116,397 has now issued as U.S. Patent No. 6,272,176.

Figs. 2-4 have been added, as clearly described in the originally-filed specification at paragraphs **[0036]** - **[0048]**. No new matter has been added since Figs. 2-4 are merely block

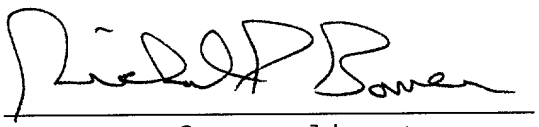
diagrams and flow charts which are described in great detail in the specification in a manner which would enable the person of ordinary skill in the art to reproduce these figures without any difficulty. For example, each block in Figs. 2 and 3 is described in detail (in both function and connectivity) in the originally-filed specification. Likewise, the steps of the Fig. 4 flowchart are described in great detail, together with the description of the steps being preferably performed in parallel. Accordingly, no new matter is added by inclusion of Figs. 2-4.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All

correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 31,588

Patent Administrator
KATTEN MUCHIN ZAVIS
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Marked-Up Paragraph

[0043] U.S. Patent Application Serial No. 09/116,397, filed July 16, 1998 (now U.S. Patent No. 6,272,176, issued August 7, 2001) and assigned to the assignee of this application, and U.S. Patent Application Serial No. 09/428,425, filed October 27, 1999, and U.S. Patent Application Serial No. 09/543,480, filed April 6, 2000 (each of which is incorporated herein by reference) disclose methods and apparatus for encoding audio signals by spectral modulation. These coding arrangements are selected so that the code survives subsequent compression and decompression and is hence compatible with various digital signal transmission standards. It will be recognized that other coding arrangements that have been (and will be) developed satisfy this process. Hence, the preferred embodiment of the invention attempts to recover an encoded program label from the PCM audio signal, which may be a decompressed audio signal. In other arrangements, of course, audio codes may be recovered from an analog audio signal, such as one recovered from a microphone adjacent a speaker.